

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:	)	
	)	CASE NO. BK12-12882 (D. Del.)
BACK YARD BURGERS, INC.,	)	
	)	A12-8074-TJM
Debtor(s).	)	
BRADY KEITH, individually and on behalf	)	8:11CV135
of a class,	)	
	)	CHAPTER 11
Plaintiff(s),	)	
	)	
vs.	)	
	)	
BACK YARD BURGERS OF NEBRASKA,	)	
INC.; BACK YARD BURGERS, INC.; and	)	
DOES 1-10,	)	
	)	
Defendant(s).	)	

REPORT and RECOMMENDATION

This case was transferred from the district court because one of the defendants is in a bankruptcy case.

This lawsuit was filed in the United States District Court for the District of Nebraska in April 2011 by a plaintiff who alleges that a local restaurant franchise and its corporate parent violated the Fair and Accurate Credit Transactions Act amendment to the Fair Credit Reporting Act by printing payment receipts that displayed the expiration date of the purchaser's credit or debit card. After extensions of time for discovery and mediation, the case was set for trial in June 2013. The defendant franchiser filed for Chapter 11 bankruptcy protection in Delaware on October 17, 2012, so the district court referred the lawsuit to this court for further proceedings.

The plaintiff has dismissed his claims against the party in bankruptcy, so there is no need for the case to remain in this court. I respectfully recommend to the district court that it withdraw the reference of this matter for all further proceedings against the remaining defendants.

DATED: September 26, 2013

RESPECTFULLY SUBMITTED,

/s/ Timothy J. Mahoney  
United States Bankruptcy Judge

Notice given by the Court to:

Brian J. Christensen	Bryant Lamer
Joshua C. Dickinson	Lindsay T. Perkins
Gregory C. Scaglione	J. Daniel Weidner
U.S. Trustee	